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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

CRAIG JEREMY RICHARDSON,

2:13-CV-1481 JCM (VCF)

Plaintiff(s),

v.

LAS VEGAS METROPOLITAN  
POLICE DEPARTMENT, et al.,

Defendant(s).

**ORDER**

Presently before the court is Magistrate Judge Ferenbach's report and recommendation.  
(Doc. # 3). The magistrate judge recommends the following:

(1) Las Vegas Metropolitan Police Department be dismissed with prejudice;

(2) plaintiff's Fifth Amendment claim (count 3) and Thirteenth Amendment claim (count 4) be dismissed with prejudice;

(3) that the clerk of the court file the complaint, issue summons to the defendants named in the complaint, deliver the same to the U.S. Marshal for service, and send blank copies of the USM-285 forms to the plaintiff;

(4) that plaintiff have twenty (20) days to furnish to the U.S. Marshal the required USM-285 forms. Within twenty (20) days after plaintiff receives copies of the completed USM-285 forms from the U.S. Marshal, plaintiff must file a notice with the court identifying which defendants were served and which were not served, if any. If the plaintiff wishes to have the U.S. Marshal attempt service again on any unserved defendants, then a motion must be filed with the court identifying the unserved defendants, specifying a more detailed name and address, and indicating whether some other manner of service should be used. Pursuant to the Federal Rules of Civil Procedure Rule 4(m), service must be accomplished within one hundred twenty (120) days from the date that the complaint was filed; and

1 (5) that from this point forward, plaintiff shall serve upon defendants, or their  
2 attorney if they have retained one, a copy of every pleading, motion, or other  
3 document submitted for consideration by the court. Plaintiff shall include with  
4 the original paper submitted for filing a certificate stating the date that a true  
and correct copy of the document was mailed to the defendants or their counsel.  
The court may disregard any paper received by a district judge, magistrate judge,  
or the clerk which fails to include a certificate of service.

5 No objections have been filed to the report and recommendation, and the deadline to do so has  
6 passed.

7 This court “may accept, reject, or modify, in whole or in part, the findings or  
8 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). Where a party timely objects  
9 to a magistrate judge’s report and recommendation, then the court is required to “make a de novo  
10 determination of those portions of the [report and recommendation] to which objection is made.”  
11 28 U.S.C. § 636(b)(1).

12 Where a party fails to object, however, the court is not required to conduct “any review at all  
13 . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985).  
14 Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate  
15 judge’s report and recommendation where no objections have been filed. *See United States v.*  
16 *Reyna–Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the  
17 district court when reviewing a report and recommendation to which no objections were made); *see*  
18 *also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (reading the Ninth Circuit’s  
19 decision in *Reyna–Tapia* as adopting the view that district courts are not required to review “any  
20 issue that is not the subject of an objection.”). Thus, if there is no objection to a magistrate judge’s  
21 recommendation, then this court may accept the recommendation without review. *See, e.g.,*  
22 *Johnstone*, 263 F. Supp. 2d at 1226 (accepting, without review, a magistrate judge’s recommendation  
23 to which no objection was filed).

24 Nevertheless, this court finds it appropriate to engage in a de novo review to determine  
25 whether to adopt the recommendation of the magistrate judge. Upon reviewing the recommendation  
26 and underlying briefs, this court finds good cause appears to ADOPT the magistrate’s findings in  
27 full.  
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1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the report and  
3 recommendation of Magistrate Judge Ferenbach (doc. # 3) be, and the same hereby is, ADOPTED  
4 in its entirety.

5 IT IS THEREFORE ORDERED that Las Vegas Metropolitan Police Department is hereby  
6 dismissed with prejudice.

7 IT IS FURTHER ORDERED that plaintiff's Fifth Amendment claim (count 3) and  
8 Thirteenth Amendment claim (count 4) are dismissed with prejudice. The remaining claims may  
9 proceed.

10 IT IS FURTHER ORDERED that the clerk of the court file the complaint, issue summons  
11 to the defendants still remaining in the case, deliver the same to the U.S. marshal for service, and  
12 send blank copies of the USM-285 forms to the plaintiff.

13 IT IS FURTHER ORDERED that plaintiff has twenty (20) days to furnish to the U.S.  
14 marshal the required USM-285 forms. Within twenty (20) days after plaintiff receives copies of the  
15 completed USM-285 forms from the U.S. marshal, plaintiff must file a notice with the court  
16 identifying which defendants were served and which were not served, if any. If the plaintiff wishes  
17 to have the U.S. marshal attempt service again on any unserved defendants, then a motion must be  
18 filed with the court identifying the unserved defendants, specifying a more detailed name and  
19 address, and indicating whether some other manner of service should be used.

20 IT IS FURTHER ORDERED that from this point forward, plaintiff shall serve upon  
21 defendants, or their attorney if they have retained one, a copy of every pleading, motion, or other  
22 document submitted for consideration by the court. Plaintiff shall include with the original paper  
23 submitted for filing a certificate stating the date that a true and correct copy of the document was  
24 mailed to the defendants or their counsel.

25 DATED December 11, 2013.

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28 **UNITED STATES DISTRICT JUDGE**